REMARKS/ARGUMENTS

In the Office Action issued May 4, 2003, claims 14-22 and 24-32 were objected to because of informalities. Claims 1, 5-10, 13, 17-23 and 27-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,230,064 issued to Nakase et al. ("Nakase"). Claims 2, 4, 14, 16, 24, and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nakase in view of U.S. Patent No. 6,421,828 issued to Wakiesaka et. al. ("Wakiesaka"). Finally, claims 3, 11-12, 15 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nakase in view of U.S. Patent No. 5,461,708 issued to Kahn ("Kahn").

Claims 1-35 remain in this application.

Claim Objections

Applicant has corrected the informalities in claims 14-22 and 24-32 as requested. And therefore respectfully requests that the objections to claims 14-22 and 24-32 be withdrawn.

Claim Rejections – 35 U.S.C. §103

The present invention is not obvious in view of, the references relied upon in the Office Action, as this prior art references do not disclose or suggest the claimed features of the present invention.

Nakase:

The Applicant respectfully submits that the present invention according to claims 1, 5-10, 13, and 17-23 is not taught or suggested by Nakase. Nakase discloses an

analytical process which sorts data to help companies develop marketing or sales strategies. (*See e.g.* Col. 1:18-36) The data associated with items and is organized by predetermined periods of time. (*See e.g.* Col. 4:64-Col.5:20). Nakase applies an association extraction apparatus/means to the data and thus develops an association rule. (*See e.g.* Col. 2:14-32) The association rule includes information of particular events. *Id.* Nakase does not teach or suggest processing a multi-level data structure to refine time labels nor does it teach generating multi-level time labels from the refined time labels stored in the multi-level data structure.

By contrast, claims 1, 5-10, 13, 17-23 and 27-32 recite processing a multi-level data structure to refine time labels and generating multi-level time labels from the time labels that are stored in the multi-level data structure. The present invention uses and processes a multi-level data structure, characteristics of time, and the physical dimensions of the graph to create tailored labels for a graphical display. Rather, Nakase is directed to using its time based data to develop association rules with information related to particular events. (*See e.g.* Col.2:14-41)

Thus, the present invention, according to claims 1, 5-10, 13, 17-23, and 27-32 is not unpatentable by Nakase.

Nakase in view of Wakisaka:

The Applicant respectfully submits that the present invention according to claims 2, 4, 14, 16, 24, and 26 is not taught or suggested by Nakase in view of Wakiesaka.

With regards to claim claims 2, 4, 14, 16, 24 and 26, Nakase does not teach or suggest processing the multi-level data structure "to refine time labels" or "generate multi-level time labels" from the refined time labels stored in the multi-level data

structure. Rather, Nakase uses the time based data to develop association rules with information related to particular events. Wakiesaka does not correct the deficiencies of Nakase.

Thus, the present invention, according to claims 2, 4, 14, 16, 24, and 26 is not unpatentable by Nakase in view of Wakiesaka.

Nakase in view of Kahn:

The Applicant respectfully submits that the present invention according to claims 3, 11-12, 15 and 25 is not taught or suggested by Nakase in view Kahn. Nakase does not teach or suggest processing the multi-level data structure "to refine time labels" or "generate multi-level time labels" from the refined time labels stored in the multi-level data structure. Rather, Nakase uses the time based data to develop association rules with information related to particular events. Nakase does not use a multi-level data structure to develop multi-level time labels to fit along a graphical axis as claimed. Kahn does not correct the deficiencies of Nakase.

Thus, the present invention, according to claims 3, 11-12, 15 and 25 is not unpatentable by Nakase in view of Kahn.

In view of the above, it is respectfully submitted that the present invention is allowable over the references relied upon in the Office Action. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested.

Additional Fees:

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 (11545.6600).

Conclusion

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Respectfully Submitted,

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